

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

DAHUA TECHNOLOGY USA INC. and  
HIKVISION USA, INC.,

*Petitioners,*

v.

FEDERAL COMMUNICATIONS  
COMMISSION and UNITED STATES  
OF AMERICA,

*Respondents.*

Case No. 23-1032 (consolidated  
with 23-1073)

---

**MOTION FOR SUBSTITUTION OF PARTY PURSUANT TO FEDERAL  
RULE OF APPELLATE PROCEDURE 43(b)**

Pursuant to Federal Rule of Appellate Procedure 43(b), Petitioner in No. 23-1073, Dahua Technology USA Inc. (“Dahua USA”), hereby moves for an order substituting Zhejiang Dahua Technology Co., Ltd. (“Dahua Technology”) as a petitioner in this action in place of Dahua USA.

At the time this case was filed, Dahua USA was an indirect, wholly owned subsidiary of Dahua Technology, a publicly traded company listed on the Shenzhen Stock Exchange. During the pendency of this matter, Dahua Technology sold all its ownership interests in Dahua USA to a third party. As a result of the transaction, Dahua USA is no longer owned or controlled by Dahua Technology or otherwise

affiliated with an entity involved in producing equipment that is subject to the restrictions imposed by the Report and Order and Order titled *Protecting Against National Security Threats to the Communications Supply Chain Through the Equipment Authorization Program*, *Protecting Against National Security Threats to the Communications Supply Chain Through the Competitive Bidding Program*, Report and Order, Order, and Further Notice of Proposed Rulemaking, FCC 22-84, ET Docket No 21-232, EA Docket No. 21-233 (rel. Nov. 25, 2022).

Notwithstanding the sale of Dahua USA, Dahua Technology remains subject to those restrictions outlined in the aforementioned Report and Order, as it continues to be listed on the FCC's Covered List. Therefore, Dahua USA therefore respectfully requests that this Court grants it motion to substitute Dahua Technology in place of Dahua USA as a Petitioner in this action.

Undersigned counsel has conferred with counsel for the other parties and is authorized to represent that Hikvision and Motorola Solutions, Inc. do not oppose this motion. Movant sought the positions of the United States and the Federal Communications Commission, but neither have stated consent or opposition to this motion.

Dated: February 7, 2025

Respectfully submitted,

*/s/ Russell M. Blau*

---

Andrew D. Lipman

Russell M. Blau

MORGAN, LEWIS & BOCKIUS LLP

1111 Pennsylvania Ave NW

Washington, DC 20004

(202) 739-3000

andrew.lipman@morganlewis.com

russell.blau@morganlewis.com

*Counsel to Dahua Technology USA, Inc.  
and Zhejiang Dahua Technology Co.,  
Ltd.*

**CERTIFICATE OF COMPLIANCE WITH THE TYPE-VOLUME LIMIT,  
TYPEFACE REQUIREMENTS, AND TYPE-STYLE REQUIREMENTS**

The undersigned certifies that the foregoing Motion complies with the type-volume limit of Fed. R. App. P. 27(d) and 32(a)(7)(B) and the word limit of Fed. R. App. P. 5(c)(1) and 27(d) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), the Motion contains 293 words. The Motion complies with the typeface requirements of Fed. R. App. P. 27(d) and 32(a)(5) and the type-style requirements of Fed. R. App. P. 27(d) and 32(a)(6) because the Motion has been prepared in a proportionally spaced typeface using Microsoft Word in size 14 Times New Roman font.

Dated: February 7, 2025

Respectfully submitted,

/s/ Russell M. Blau

Russell M. Blau

Morgan, Lewis & Bockius LLP  
1111 Pennsylvania Avenue, NW  
Washington, DC 20004  
(202) 373-6035  
russell.blau@morganlewis.com

*Counsel to Dahua Technology USA, Inc.  
and Zhejiang Dahua Technology Co.,  
Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this February 7, 2025, I electronically filed the foregoing Motion of Petitioner Dahua Technology USA Inc. For Substitution of Party Pursuant To Federal Rule Of Appellate Procedure 43(b) with the Clerk of the Court for the U.S. Court of Appeals for the District of Columbia Circuit via CM/ECF, which will send a notice of electronic filing to all counsel of record. All parties represented by counsel are registered with CM/ECF.

/s/ Russell M. Blau

Russell M. Blau